

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

Bail Appl.No. 3823 of 2007()

CRIME NO.235/06 OF TANUR POLICE STATION

PETITIONERS : ACCUSED:

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1. SAFVAN, S/O.MOIDUNNI , AGED 24,
KEEZHUVEETIL HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DISTRICT.
 2. ISMAIL, S/O.MUHAMMEDKUTTY, AGED 19,
AMERERI HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DISTRICT.
 3. MANSOOR ALI, S/O.ABOOBACKER, AGED 21,
PIRIYANPARAMBIL HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DISTRICT.
 4. YAZIR, S/O.SAIDALAVI, AGED 19,
VADAKKUMPARAMBIL HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DISTRICT.
 5. MUSTAFA, S/O.HAMZA, AGED 26, AREEKODE
HOUSE, NANNAMPRA, CHERUMUKKU, MALAPPURAM DISTRICT.
 6. SHOWKATHALI P.P., S/O.RAYIN, AGED 21,
PIRIYANPARAMBIL HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DISTRICT.
 7. NAJEEB, S/O.MOIDUNNI, AGED 20,
KITTUVEETIL HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DISTRICT.
 8. NAZEER, S/O.AVARANKUTTY, AGED 24,
PATHOOR HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DISTRICT.
 9. FAIZAL, S/O.HAMZA, AGED 21,
KOOLATH HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DIST.
 10. ABDUL SALIM, S/O. ALAVI, AGED 24,
VADAKKANPARAMBIL HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DIST.

11. JAFAR, S/O.RAYIN, AGED 23,
PIRIYANPARAMBIL HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DIST.
12. NAZAR, S/O.IBRAHIM, AGED 24,
SRAMBIYIL HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DIST.
13. ISAHAK, S/O.ABU, AGED 22,
SRAMBIYIL HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DIST.
14. SHUKKOOR, S/O.MUHAMMED HAJI,
AGED 22, PACHAYI HOUSE, NANNAMPRA, CHERUMUKKU,
MALAPPURAM DISTRICT.

BY ADV. SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR

RESPONDENTS:

STATE OF KERALA REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 26/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A.No. 3823 of 2007

Dated this the 26th day of June, 2007

ORDER

Application for anticipatory bail. The petitioners are accused 2 and 4 to 16. They face allegations under Section 3 of the Prevention of Damage to Public Property Act. The alleged incident took place on 1.7.2006. Dissatisfied with the interruption in the supply of power on a day when the World Cup Foot Ball match was going on, members of the locality, including the petitioners, were alleged to have indulged in objectionable culpable conduct. Crime has been registered. Investigation is in progress. The petitioners apprehend imminent arrest.

2. The learned counsel for the petitioners prays, the learned Prosecutor does not seriously oppose the said prayer and I am satisfied in the facts and circumstances of this case that the petitioners can be granted anticipatory bail, subject to appropriate conditions. In the absence of opposition, it is not necessary to advert to facts in any greater detail.

3. In the result:

(1) This application is allowed.

(2) The following directions are issued under Section 438 Cr.P.C.

(a) The petitioners shall surrender before the learned Magistrate on 3.7.2007 at 11 a.m. The learned Magistrate shall release the petitioners on regular bail on condition that they execute bonds for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(b) The petitioners shall make themselves available for interrogation before the Investigating Officer between 10 a.m. and 1 p.m. on 4.7.07 and 5.7.2007 and thereafter on all Mondays between 10 a.m. and 12 noon for a period of one month and subsequently as and when directed by the Investigating Officer in writing to do so.

(c) If the petitioners do not appear before the learned Magistrate as directed in clause (1) above, these directions shall lapse on 3.7.07 and the police shall be at liberty thereafter to arrest the petitioners and deal with them in accordance with law.

(d) If the petitioners were arrested prior to their surrender on 3.7.2007 as directed in clause (1) above, they shall be released on bail on their

B.A.No. 3823 of 2007

3

executing bonds for Rs.25,000/- each without any surety undertaking to appear before the learned Magistrate on 3.7.2007.

(R. BASANT)
Judge

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